



12A

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in this Submission

58*

| | |
|--|------------------|
| Application Number | 09/614,790 |
| Filing Date | July 12, 2000 |
| First Named Inventor | Sharon F. Kleyne |
| Group Art Unit | 1619 |
| Examiner Name | Michael Willis |
| Total Number of Pages in this Submission | 58* |
| Attorney Docket Number | HME/7982.0001 |

RCF/1600A ✓
D-ROM
RECEIVED
FEB 6 6 2004
TECH CENTER 1600/2000

ENCLOSURES (check all that apply)

| | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee transmittal form <input checked="" type="checkbox"/> Fee attached | <input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing Related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosures (identify below) Request for Continued Examination CD as attachment to Declaration of Dr. Philip Paden |
|--|--|--|

Remarks: * = plus CD

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name
Howard Eisenberg, Esq.
2206 Applewood Court
Perkasie, Pennsylvania 18944

Signature

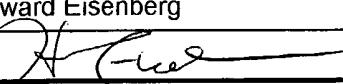
Date January 30, 2004

CERTIFICATE OF MAILING

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

with sufficient postage as first class mail
 as "Express Mail Post Office to Addressee" - mailing label no. _____

Type or print name Howard Eisenberg

Signature  Date January 30, 2004

FEB 02 2004
P E JC102
ENT & TRADEMARKS
TECH CENTER 1600
RECEIVED

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37CFR 1.27

| Complete If Known | |
|-------------------------|------------------|
| Application Number | 09/614,790 |
| Filing Date | July 12, 2000 |
| First Named Inventor | Sharon F. Kleyne |
| Examiner Name | Michael Willis |
| Art Unit | 1619 |
| TOTAL AMOUNT OF PAYMENT | \$385 |
| Attorney Docket No. | HME/7982.0001 |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number **50-1773**
Deposit Account Name **Howard Eisenberg**

The Commissioner is authorized to: (check all that apply)

Charge fees indicated below Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge any fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------------|--------------|------------------------|------------|
| Code (\$) | Code (\$) | | |
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | \$0 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

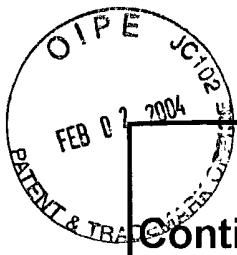
| Total Claims | 15 | - 43 | **= 0 | x 9 = 0 | = 0 |
|--------------------|----|------|-------|----------|-----|
| Indep. Claims | 2 | - 5 | **= 0 | x 43 = 0 | = 0 |
| Multiple Dependent | | | | | |

| Large Entity | Small Entity | Fee Description |
|---------------------|---------------|--|
| Fee Code (\$) | Fee Code (\$) | |
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | **Reissue independent claims over original patent |
| 1205 18 | 2205 9 | *Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) | | \$0 |

**or number of previously paid, if greater. For reissues, see above.

RECEIVED
FEB 06 2004
TECH CENTER 1600
1600/2800

| Complete (if applicable) | | | | | |
|--------------------------|---|------------------|--------|------------------|----------------|
| Name (print type) | Howard Eisenberg, Esq. | Registration No. | 36,789 | Telephone | (215) 453-9237 |
| Signature |  | Date | | January 30, 2004 | |



RECEIVED
TECH CENTER 1600/2000
FEB 06 2004

**Request
FOR
Continued Examination (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|----------------------|------------------|
| Application Number | 09/614,790 |
| Filing Date | July 12, 2000 |
| First Named Inventor | Sharon F. Kleyne |
| Art Unit | 1619 |
| Examiner Name | Michael Willis |
| Attorney Docket No. | HME/7982.0001 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114

a. Previously submitted

- i. Consider the amendment(s) / reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered)
- ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on 9/24/02 & 1/13/03
- iii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavits(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other _____

2. Miscellaneous

a. Suspension of action on the above identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(h) required)

b. Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-1773

- i. RCE fee required under 37 CFR 1.17(e).
- ii. Extension of time fee (37 CFR 1.136 and 1.17)
- iii. Other _____

b. Check in the amount of \$385.00 enclosed.

c. Payment by credit card. (Form PTO-2038 enclosed.)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

| | | | |
|-------------------|------------------------|------------------|------------------|
| Name (Print/Type) | Howard Eisenberg, Esq. | Registration No. | 36,789 |
| Signature | | Date | January 30, 2004 |

365.00 OP
0364790

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

| | | | |
|-------------------|------------------|------|------------------|
| Name (Print/Type) | Howard Eisenberg | Date | January 30, 2004 |
| Signature | | Date | January 30, 2004 |

15/13/2004 ESRVAST1 60000050 0364790
OP 365.00

RECEIVED

FEB 06 2004

TECH CENTER 1600/2900

Atty Doc. No. HME/7982.001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION EXAMINING OPERATIONS

In re the Application of : Group Art Unit: 1619
Sharon F. Kleyne

Serial No. 09/614,790 : Examiner: Michael Willis

Filed: July 12, 2000 : Tel. No. (703) 305-1679

For a Patent for : Date: January 30, 2004
METHOD AND KIT FOR MOISTURIZING
THE SURFACE OF THE EYE

AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION

Commissioner for Patents
Box RCE
Alexandria, VA 22313-1450

Dear Sir,

Applicant submits with this Amendment a Request for Continued Examination. Because the rejection of the claims of this application is presently on appeal, Applicant submits a copy of the Request for Continued Examination to the Board of Patent Appeals and Interferences. Please amend the application as follows.